

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

L & Y ELECTRONICS, INC., a Virginia corporation,
JOHN A LINTON, an individual, and SANGSOON
LINTON, an individual,

Defendants.

Civil Action No. 1:08cv00596-GBL-
JFA

**PLAINTIFF MICROSOFT CORPORATION'S RESPONSE TO DEFENDANT JOHN
LINTON'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 1:

Copy of all documents and emails supporting your allegation that Defendants "have been and continue to be involved in advertising, marketing, installing and/or distributing infringing copies of Microsoft's software to unidentified persons or entities."

RESPONSE 1:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order.

Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 2:

Copy of all documents and emails supporting your allegation that "Defendants were willfully blind and acted in reckless disregard of Microsoft's registered copyrights and marks."

RESPONSE 2:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 3:

Copy of all documents and emails supporting your allegation that "Defendants acted with

willful blindness to and in reckless disregard to Microsoft's registered copyrights."

RESPONSE 3:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 4:

Copy of all documents and emails supporting your allegation that Microsoft is the sole owner of used copies of Microsoft Office Pro 2003.

RESPONSE 4:

Microsoft objects to this request to the extent it is vague and ambiguous. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information

concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft refers Defendants to the copyright and trademark registrations attached as Exhibits to Microsoft's Complaint. Microsoft further responds that the use and/or distribution of its Office 2003 Professional software programs is governed by the appropriate license.

Microsoft will produce a copy of an End User License Agreement and Break the Seal Agreement for Microsoft Office 2003 Professional system builder software.

REQUEST NO. 5:

Copy of all reports and publications showing that customers are harmed when purchasing used copies of non-genuine Microsoft software products.

RESPONSE 5:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it seeks publicly available information. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request subject to the entry of a

mutually agreeable, court approved protective order. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 6:

Copy of all lawsuits you have brought asserting copyright infringement of software products when at the time of bringing the lawsuit you were no longer manufacturing any of the products claimed to be infringed.

RESPONSE 6:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft further objects to this request on the grounds it seeks publicly available information.

REQUEST NO. 7:

Copy of all documents and emails you have that support your allegation that Defendants have infringed trademark registration number 1,256,083.

RESPONSE 7:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order.

Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 8:

Copy of all documents and emails supporting your allegation that "Microsoft has suffered, and will continue to suffer, substantial losses."

RESPONSE 8:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential. Microsoft also objects to this Request because irreparable harm is presumed. Microsoft further objects because Microsoft has until the entry of final judgment to elect to recover statutory damages or actual damages and Microsoft has not decided whether it will elect to recover Defendants' profits or statutory damages.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order.

Microsoft further refers Defendants to their own business records, including invoices and

financial records, for information responsive to this request. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 9:

Copy of all documents and emails supporting your allegation that Microsoft has suffered "damage to its business reputation."

RESPONSE 9:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential. Microsoft also objects to this Request because irreparable harm is presumed. Microsoft further objects because Microsoft has until the entry of final judgment to elect to recover statutory damages or actual damages and Microsoft has not decided whether it will elect to recover Defendants' profits or statutory damages.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to their own business records, including invoices and financial records, for information responsive to this request. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for

inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 10:

Copy of all documents and emails supporting your allegation that Microsoft has suffered damage to its business "goodwill."

RESPONSE 10:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential. Microsoft also objects to this Request because irreparable harm is presumed. Microsoft further objects because Microsoft has until the entry of final judgment to elect to recover statutory damages or actual damages and Microsoft has not decided whether it will elect to recover Defendants' profits or statutory damages.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to their own business records, including invoices and financial records, for information responsive to this request. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 11:

Copy of all documents and emails supporting your allegation that Defendants used, advertised, marketed, offered or distributed infringing material with the "calculated purposes of confusing customers and the public."

RESPONSE 11:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to their own records for information responsive to this request. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 12:

Copy of all documents and emails supporting your allegation that sales of counterfeit copies of Microsoft Office Pro 2003 made after you have stopped manufacturing and distributing Microsoft Office Pro 2003 caused you to suffer any pecuniary damages.

RESPONSE 12:

Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential. Microsoft also objects to this Request because irreparable harm is presumed. Microsoft further objects because Microsoft has until the entry of final judgment to elect to recover statutory damages or actual damages and Microsoft has not decided whether it will elect to recover Defendants' profits or statutory damages.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

Microsoft will produce documents responsive to this request, some of which will be produced subject to the entry of a mutually agreeable, court approved protective order. Microsoft further refers Defendants to their own business records, including invoices and financial records, for information responsive to this request. Microsoft further refers Defendants to the counterfeit items distributed by Defendants which have been made available for inspection. Microsoft further responds that its discovery and investigation are continuing.

REQUEST NO. 13:

Copy of all advertisements you have made of Microsoft Office Pro 2003,

RESPONSE 13:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks

information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 14:

Copy of all contracts, documents, offers for sale, invoices and payments to Dell Computer for Microsoft software products during the past four years.

RESPONSE 14:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 15:

Copy of all contracts, documents, offers for sale, invoices and payments to D&H Distributing Co. for Microsoft software products during the past four years.

RESPONSE 15:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit

Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 16:

Copy of all business records showing the costs of manufacturing Microsoft software products that were manufactured for distribution and/or sale in the United States in the last four years.

RESPONSE 16:

Microsoft objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves counterfeit Microsoft software. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 17:

Copy of all business records showing the costs of delivery of Microsoft software products that were manufactured for distribution and/or sale in the United States in the last four years.

RESPONSE 17:

Microsoft objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves counterfeit Microsoft software.

Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 18:

Copy of all business records showing the costs of selling Microsoft software products that were manufactured for distribution and/or sale in the United States in the last four years.

RESPONSE 18:

Microsoft objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves counterfeit Microsoft software.

Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 19:

Copy of all emails containing the words "used" and "software" and "Virginia" that were either sent or received by you, one of your employees or agents in the last four years.

RESPONSE 19:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege.

Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 20:

Copy of all emails containing the words "Dell" and "Virginia" that were either sent or received by you, one of your employees or agents in the last four years.

RESPONSE 20:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 21:

Copy of all emails containing the words "IET-PA" and "Virginia" that were either sent or received by you, one of your employees or agents in the last four years.

RESPONSE 21:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the

discovery of admissible evidence. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 22:

Copy of all emails containing the words "O'Neil" and "Virginia" that were either sent or received by you, one of your employees or agents in the last four years.

RESPONSE 22:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 23:

Copy of all emails containing the words "Logue" and "Virginia" that were either sent or received by you, one of your employees or agents in the last four years.

RESPONSE 23:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks

information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 24:

Copy of all emails containing the words "Borland" and Windows" that were either sent or received by you, one of your employees or agents in the fall of 1993.

RESPONSE 24:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 25:

Copy of all business records showing or describing the purchases, depreciation and/or amortization of Borland International pending trademark registrations that you obtained in or about the fall of 1993.

RESPONSE 25:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 26:

Copy of any economic model you use or refer to in determining suggested retail prices for your software products in the last four years.

RESPONSE 26:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 27:

Copy of all documents, emails and business records showing the number of retail outlets for Microsoft software products in the State of Virginia during calendar year 2004.

RESPONSE 27:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 28:

Copy of all documents, emails and business records showing the number of retail outlets for Microsoft software products in the State of Virginia during calendar year 2007.

RESPONSE 28:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 29:

Copy of all documents, emails and business records showing the present number of Microsoft licensed copies of Microsoft Office Standard Edition 2003, Microsoft Office

Professional Edition 2003, Microsoft Office Small Business Edition 2003 and Microsoft Office Professional Edition (Academic) 2003.

RESPONSE 29:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 30:

Copy of all documents, emails and business records showing the establishment of suggested retail price of Microsoft Office Standard Edition 2003, Microsoft Office Professional Edition 2003, Microsoft Office Small Business Edition 2003 and Microsoft Office Professional Edition (Academic) 2003.

RESPONSE 30:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this Request to the extent it seeks information protected

by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 31:

Copy of all documents, emails and business records showing the present number of Microsoft licensed copies of Microsoft Office Standard 2007, Microsoft Office Professional 2007, Microsoft Office Small Business 2007 and Microsoft Office Home and Student 2007.

RESPONSE 31:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft Office 2003 Professional software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 32:

Copy of all documents, emails and business records showing the establishment of suggested retail price of Microsoft Office Standard 2007, Microsoft Office Professional 2007, Microsoft Office Small Business 2007 and Microsoft Office Home and Student 2007.

RESPONSE 32:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft Office 2003 Professional software. Microsoft objects to this Request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Dated: October 6, 2008

Respectfully submitted,

By: 

JOHN K. ROCHE, ESQ.

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Attorneys for Plaintiff
MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

I hereby certify this 6th day of October, 2008, the foregoing has been sent to the following individuals via electronic mail and U.S. Mail:

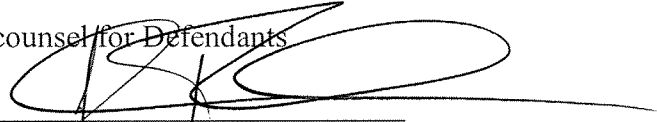
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By



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